

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>10/4/13</u>

-against-

S13 98 Crim. 1023 (LAK)

SULAIMAN ABU GHAYTH,

Defendant.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Defendant Sulaiman Abu Ghayth has requested a one-week adjournment of the final installment of the hearing on his motion to suppress, at which an expert witness is scheduled to testify. He requests also a six-day extension of time to file the expert report, citing the government shutdown and the expert's inability to access certain classified discovery until Monday.

Defendant's request is denied. The expert will file his report as scheduled on Saturday, October 5, albeit without benefit of the classified material, and the hearing will resume on Tuesday, October 8. The defense will offer all of its remaining evidence on Tuesday, including any evidence based on classified discovery. Should the government feel aggrieved by the lack of a complete expert report in advance of the hearing, it may seek whatever relief it thinks appropriate.

SO ORDERED.

Dated: October 4, 2013



Lewis A. Kaplan
United States District Judge